

Application No. 09/880,952
Amendment Dated March 19, 2004
In Reply to USPTO Office Action Dated December 19, 2003
Customer No. 28289
Confirmation No. 6004
Attorney Docket No. 4194-030268

AMENDMENTS TO THE CLAIM

The listing of the claim will replace all prior versions, and the listing of the claim in the application:

Listing of the Claim

Claim 1 (Currently amended): A new and distinct ~~rootstock~~
variety of *Prunus* plant named 'VVA-1', as ~~described~~ herein described and illustrated.

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AMENDMENT TO THE ATTORNEY DOCKET NUMBER

As requested in our correspondence of December 2, 2003, please ensure that the Attorney Docket Number for the present application is as follows:

-- 4194-030268 --

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RESPONSE UNDER 37 C.F.R. § 1.105

The undersigned is advised that the public did not have access to the claimed variety until after January 11, 2001, the filing date of the instant application. Therefore, a rejection under 35 U.S.C. § 102(b) is wholly inappropriate.